

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:09cv423

JERRY ANDERSON,)	
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
CALDWELL COUNTY SHERIFF'S)	
OFFICE; <i>et. al.</i>,)	
Defendants.)	
_____)	

THIS MATTER is before the Court on the Plaintiff's Motion to Strike Defendants' Reply and Alternative Motion to Permit Plaintiff's Reply and Supplemental Exhibits [Doc. 192].

The Caldwell County Defendants filed a thirty-seven page reply brief [Doc. 191] in opposition to the Plaintiff's Response to the Defendants' Motion for Summary Judgment [Doc. 185]. The Pre-Trial Order and Case Management Plan in this matter limits reply briefs to ten pages. [Doc. 37 at 6]. Although the Court did extend the page limit for the supporting and responsive briefs, no such extension was provided for reply briefs. As a result, the Court will strike the reply brief as well as the exhibits thereto but will provide an

additional time within which to file a complying reply brief.

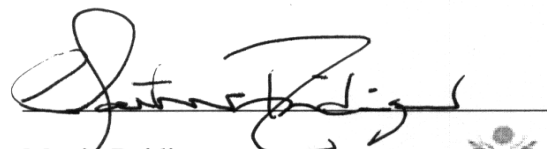
The function of a reply brief is not to reiterate arguments previously raised. Counsel are heartily encouraged to cease filing voluminous briefs and exhibits. If counsel are unable to self-monitor such conduct, the Court will enter an Order which prohibits any additional filings in this case absent prior permission from the Court.

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion to Strike Defendants' Reply [Doc. 192] is hereby **GRANTED** and the Caldwell County Defendants' Reply Memorandum in Support of [their] Motion for Summary Judgment [Doc. 191] is hereby **STRICKEN**.

IT IS FURTHER ORDERED that the Plaintiff's Alternative Motion to Permit Plaintiff's Reply and Supplemental Exhibits [Doc. 192] is hereby **DENIED**.

IT IS FURTHER ORDERED that on or before November 18, 2011 the Caldwell County Defendants may, if appropriate, file a reply brief limited to ten pages, as required by the Case Management Order. [Doc. 37].

Signed: November 14, 2011


Martin Reidinger
United States District Judge

